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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Telecommunications Relay Services)
and Speech-to-Speech Services for)
Individuals with Hearing and Speech)
Disabilities)
_____)

CC Docket No. 98-67

MOTION FOR A LIMITED TEMPORARY WAIVER

Sprint Communications Company L.P. ("Sprint"), on behalf of its Telecommunications Relay Services ("TRS") operations and pursuant to Section 1.3 of the Commission's Rules, 47 C.F.R. §1.3, hereby respectfully requests a six month extension from December 18, 2000 until June 15, 2001, in which to implement the requirements that relay providers "automatically and immediately provide[] the nearest Public Safety Answering Point (PSAP) with the caller's telephone number" as well as "pass along the caller's telephone number to the PSAP when the caller disconnects before being connected to emergency services." 47 C.F.R. §64.604(a)(4). Because Sprint is the relay provider for the federal government; because Sprint provides relay services in many of the States where it has been awarded the contract through regional relay centers; and because Sprint also operates a national relay center as an alternative for subscribers making interstate relay calls; the only way for Sprint to comply with these requirements is through use of a database system that includes all of the PSAPs in the country. Such database system is currently being developed by Sprint and an independent contractor retained by Sprint. But the database system will not be available, let alone fully tested and able to be utilized by all of Sprint's relay centers, by the December 18 compliance date. Based upon current projections,

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the vendor and Sprint expect that the database itself and the necessary software and hardware for accessing and utilizing such database to be available in late winter. At that point, Sprint will test the database system to ensure its functionality and reliability and begin the process of connecting the system to all of its relay centers. Sprint fully expects that this process will be completed no later than June 15, 2001. Thus, as further detailed below, "good cause" exists for granting Sprint the requested temporary extension. 47 C.F.R. §1.3. Indeed, Sprint's "special circumstances warrant a deviation from the general rule and ...such deviation will serve the public interest." *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164 (D.C. Cir. 1990) citing *Wait Radio v. FCC*, 418 F.2d 1153, 1158 (D.C. Cir. 1969), *cert. denied*, 409 U.S. 1027 (1972).

As the Commission has explained, states and local government entities are required "to make emergency services directly accessible to TTY users." *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, 15 FCC Rcd 5140, 5182 (¶99) (2000). Nonetheless, some individuals with hearing and speech disabilities continue to call the relay center in an emergency which, in turn, requires the CA to locate and call the PSAP serving the area from where the call originated as well as provide the relay function for the call.¹

Under Sprint's current methods and procedures, emergency calls to Sprint's relay centers are given the highest priority. Sprint CAs are instructed to immediately ask the caller to provide his/her location in order to facilitate obtaining the actual telephone number for the PSAP serving

¹ Perhaps owing to the fact that TTY users can access their PSAPs directly, the average number of emergency-type calls received at Sprint's relay centers on a daily basis is *de minimis*. On a typical day, Sprint handles over 70,000 relay calls. Of that number, only 0.01% are emergency-type calls.

that location. Once such number is obtained and if the caller remains on the line, the CA connects caller to the PSAP and relays the call. If the emergency caller hangs up before being connected to the PSAP, Sprint will contact the police serving the area from where the call originated and will give the police all of the information within its possession regarding the call.² Plainly, the actions undertaken by Sprint CAs when they receive an emergency phone call are consistent with the Commission's over-arching goals. Sprint attempts to connect the caller to the applicable PSAP as quickly as possible and provides either the PSAP or the police the caller's telephone number and whatever other information Sprint has obtained from the caller. *See* 15 FCC Rcd at 5182 (¶100). Significantly, neither Sprint's State customers nor end users have voiced any major concerns about the way Sprint currently handles the emergency calls received at its relay centers.

However, Sprint's current system for handling incoming emergency call does not enable it to comply with the Commission's new requirement for the handling of emergency calls. Specifically it does not permit Sprint to "automatically and immediately provide[] the nearest Public Safety Answering Point with the caller's telephone number." 47 C.F.R. 64.604(a)(4). Thus, Sprint has been working on developing a new system that would enable it to meet the new requirement. A necessary feature of such an automatic system -- at least in Sprint's case -- is a database containing all of the POTS numbers for each PSAP throughout the country. Such a nationwide database is needed because Sprint is the TRS provider for well over half of the States and in many, if not most, cases provides relay services to these States through regional centers and not through centers located in a particular State. Sprint also operates a national center that

² Sprint's CAs contact the police instead of the PSAP in such situations because the only thing the PSAP can do is also contact the police. In effect, Sprint eliminates the "middle-man."

subscribers can access by calling a toll-free number. And, it is the relay provider for the federal government. A national database would enable each Sprint CA, regardless of where he or she was located and regardless of the State from which the call originated, to obtain the POTS number of the nearest PSAP and immediately connect the caller to it.

Unfortunately, no such database currently exists. Thus, after the Commission's decision mandating the new requirement for handling emergency calls was issued, Sprint issued a Request for Proposal (RFP) to various vendors which it thought had the capability to develop a database and ensure its continued accuracy in time to enable Sprint to meet the December 18 compliance date. Only one vendor responded to the request with a proposal that came anywhere close to meeting Sprint's database and system requirements. But this vendor could not commit to having the database system fully operational by December 18.³ Based on the timeframes given to Sprint by the vendor, the earliest date by which the database, the necessary software to permit access to and use of the database and the communications links between the database site and Sprint could reasonably be established so as to permit beta testing by Sprint is March 1, 2001. Assuming that any problems that are discovered during the beta can be easily solved, Sprint would begin the implementation process and the training of its CAs on April 1, 2001. Sprint expects to complete the process no later than June 15, 2001.

Clearly, Sprint's "special circumstances" justify the grant of the requested extension. There is simply no way that Sprint can meet the new requirements for handling emergency calls

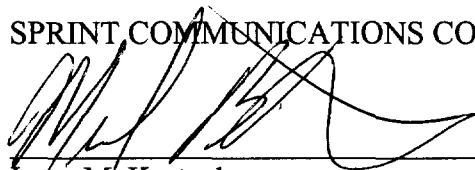
³ E911 service is controlled and operated at the local level and there are areas in many States, especially in the rural parts of those States, that the local authorities have yet to establish a E911 emergency calling system. According to Sprint's vendor, existing PSAPs cover between 80 to 90 percent of the country. In those cases where no PSAP exists, the vendor is to include in the database the number of the emergency service provider for the area such as the phone number to the local police station or sheriff's office.

without a nationwide database of the telephone numbers of PSAPs and the only vendor willing and capable of developing such database and the other system requirements necessary to ensure the reliable operation of the database cannot meet the current December 18, 2000 compliance date. Moreover, the requested extension is in the public interest. It will give Sprint and its vendor sufficient time to develop an accurate database and to ensure that the system for accessing the database and transmitting the necessary information to the PSAP nearest to the emergency caller is as rapid and reliable as possible. In the interim, Sprint will continue to handle the relatively few emergency calls it receives at its relay centers as it does today. As stated, such handling has not produced any untoward effects.

Accordingly, Sprint respectfully requests that its requested extension be granted.

Respectfully submitted,

SPRINT COMMUNICATIONS COMPANY L.P.

A handwritten signature in black ink, appearing to read 'Leon M. Kestenbaum', is written over a horizontal line.

Leon M. Kestenbaum

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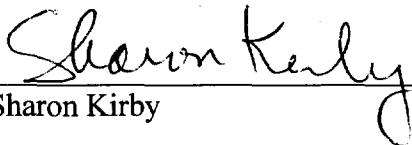
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Its Attorneys

November 7, 2000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **MOTION FOR A LIMITED TEMPORARY WAIVER** of Sprint Communications Company L.P. was sent by hand on this the 7th day of November, 2000 to the below-listed parties:


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